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PATENT
Docket No.: P-11290.00 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Miesel et al. Group Art Unit: 3762
Application No.: 10/678,402 Examiner: *Not yet assigned*
Filed: October 3, 2003
For: SYSTEM, APPARATUS AND METHOD FOR INTERACTING WITH A
TARGETED TISSUE OF A PATIENT

CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on April 21, 2005.

Anne M. La Dow
Anne M. La Dow

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Enclosed for filing in the above-identified application are the following:

- Supplemental Information Disclosure Statement
 - PTO Form 1449
 - Cited References
- Return Receipt Postcard
- The Commissioner is hereby authorized to charge or credit any deficiencies or overpayments, which may have been overlooked on this Transmittal Letter with regard to this filing, to Deposit Account No. 13-2546. A duplicate of this Transmittal Letter is enclosed.

Respectfully submitted,

Stephen W. Bauer
Registration No. 32,192
MEDTRONIC, INC.
710 Medtronic Parkway NE, MS: LC340
Minneapolis, MN 55432-5604
Telephone: 763-505-0422
Facsimile: 763-505-0411

Date: April 21, 2005



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Anne M. La Dow

**SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No certification or fee is required.

By submitting these references, Applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which Applicant is unaware.

Pursuant to the waiver of the requirements under 37 C.F.R. 1.98(a)(2)(i) as stated in a Pre-Official Gazette Notice dated July 11, 2003, copies of only the foreign patent documents and non-patent literature listed on the enclosed modified Form PTO-1449 are attached. A copy is also enclosed of the PCT International Search Report issued in the corresponding PCT application.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2546.

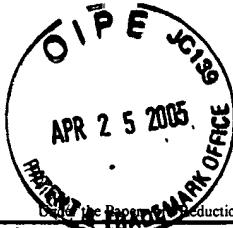
It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned, indicating that such information has been considered.

Respectfully submitted,



Date: April 21, 2005

Stephen W. Bauer
Registration No. 32,192
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PTO/SB/08a (06-03)

Approved for use through 07/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Substitute for form 1449, 67-07-01

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

3

Complete if Known

Application Number	10/678,402
Filing Date	October 3, 2003
First Named Inventor	Keith A. Miesel
Group Art Unit	3762
Examiner Name	Not yet assigned
Attorney Docket Number	P-11290.00 US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		4,886,064		Strandberg	12-12-1989	
		5,148,265		Khandros et al.	09-15-1992	
		5,148,266		Khandros et al.	09-15-1992	
		5,258,330		Khandros et al.	11-02-1993	
		5,346,861		Khandros et al.	09-13-1994	
		5,347,159		Khandros et al.	09-13-1994	
		5,402,494		Flippe et al.	03-28-1995	
		5,679,977		Khandros et al.	10-21-1997	
		5,682,061		Khandros et al.	10-28-1997	
		5,685,885		Khandros et al.	11-11-1997	
		5,814,089		Stokes et al.	09-29-1998	
		5,848,467		Khandros et al.	12-15-1998	
		5,852,326		Khandros et al.	12-22-1998	
		5,902,326		Lessar et al.	05-11-1999	
		5,950,304		Khandros et al.	09-14-1999	
		6,125,290		Miesel	09-26-2000	
		6,125,291		Miesel et al.	09-26-2000	
		6,133,627		Khandros et al.	10-17-2000	
		6,134,459		Roberts et al.	10-17-2000	
		6,141,588		Cox et al.	10-31-2000	
		6,144,866		Miesel et al.	11-07-2000	
		6,164,284		Schulman et al.	12-26-2000	
		6,198,952		Miesel	03-06-2001	
		6,248,080		Miesel et al.	06-19-2001	
		6,372,527		Khandros et al.	04-16-2002	
		6,392,306		Khandros et al.	05-21-2002	
		6,465,893		Khandros et al.	10-15-2002	
		6,564,807		Schulman et al.	05-20-2003	
		6,829,509		MacDonald et al.	12-07-2004	
		2001/001125		Schulman et al.	05-10-2001	
		2001/030370		Khandros et al.	10-18-2001	
		2002/011663		Khandros et al.	01-31-2002	
		2002/052563		Penn et al.	05-02-2002	
		2002/116028		Greatbatch et al.	08-22-2002	
		2002/116029		Miller et al.	08-22-2002	
		2002/116033		Greatbatch et al.	08-22-2002	
		2002/116034		Miller et al.	08-22-2002	
		2002/128689		Connelly et al.	09-12-2002	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw Line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<p align="center"><i>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</i></p> <p align="center">Substitute for form 1449A/PTO</p> <p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p align="center"><i>(use as many sheets as necessary)</i></p>			
<i>Complete if Known</i>			
Application Number		10/678,402	
Filing Date		October 3, 20023	
First Named Inventor		Keith A. Miesel	
Group Art Unit		3762	
Examiner Name		<i>Not yet assigned</i>	
Sheet	2	of	3
		Attorney Docket Number	
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Examiner Signature		Date Considered	
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INFORMATION DISCLOSURE
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First Named Inventor	Keith A. Miesel
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FOREIGN PATENT DOCUMENTS

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		Office ⁴	Number ⁵	Kind Code ² (if known)				
		WO	92/05582		Khandros et al.	04-02-1992		
		WO	98/26840		Stokes et al.	06-25-1998		
		WO	98/43700		Schulman et al.	10-08-1998		
		WO	98/43701		Schulman et al.	10-08-1998		
		WO	99/11174		Lessar et al.	03-11-1999		
		WO	00/25860		Miesel	05-11-2000		
		WO	00/25862		Miesel	05-11-2000		
		WO	00/25861		Miesel et al.	05-11-2000		
		WO	00/25664		Roberts et al.	05-11-2000		
		WO	00/25863		Roberts et al.	05-11-2000		
		WO	02/065895		Connelly et al.	08-29-2002		
		WO	03/033070		Kilgore et al.	04-24-2003		
		EP	0317986		Strandberg	05-31-1989		
		EP	0487413		Flippe et al.	05-27-1992		
		EP	1111672		Khandros et al.	06-27-2001		
		EP	1353374		Khandros et al.	10-15-2003		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ³
		International Search Report, Application No. PCT/US2004/032643, mailed 02/14/2005.	
		International Search Report, Application No. PCT/US2004/032644, mailed 02/14/2005.	
		Spencer L. BeMent, Kensall D. Wise, David J. Anderson, Khalil Najafi & Kenneth L. Drake, <i>Solid-State Electrodes for Multichannel Multiplexed Intracortical Neuronal Recording</i> , IEEE Transactions On Biomedical Engineering, Vol. BME-33, No. 2, February 1986.	
		Kelly E. Jones & Richard A. Normann, <i>An Advanced Demultiplexing System for Physiological Stimulation</i> , IEEE Transactions On Biomedical Engineering, Vol. 44, No. 12, December 1997.	

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¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Applicant is to place a check mark here if English language translation is attached.

⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.